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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 No. C 07-02940 SI

9 In re CONNETICS CORPORATION  
10 SECURITIES LITIGATION  
11 \_\_\_\_\_

**ORDER DISMISSING COMPLAINT AS  
TO DEFENDANTS YAROSHINSKY AND  
ZAK**

12 Defendants Alexander Yaroshinsky and Victor Zak have filed motions to dismiss plaintiffs'  
13 second amended complaint with prejudice. This motion is scheduled for hearing on February 27, 2009.  
14 Pursuant to Local Rule 7-1(b), the Court determines that the matter is appropriate for resolution without  
15 oral argument, and VACATES the hearing. Having considered the papers submitted, and for good cause  
16 shown, defendants' motions are GRANTED.

17 Defendants moved to dismiss plaintiffs' second amended complaint on May 2, 2008. On August  
18 14, 2008, the Court entered an order granting in part and denying in part defendants' motions. *See* Aug.  
19 14 Order. [Docket No. 126] The order dismissed plaintiffs' claims against defendants Yaroshinsky and  
20 Zak with leave to amend. *See id.* at \*22. On August 29, 2008, lead plaintiff filed a notice that it would  
21 not amend the complaint. Lead plaintiff does not oppose the instant motion. [Docket No. 149]  
22 Accordingly, because lead plaintiff has elected not to amend its complaint as to Yaroshinsky and Zak,  
23 their motions to dismiss all claims against them with prejudice are GRANTED.

24 **IT IS SO ORDERED.**

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26 Dated: February 27, 2009

  
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SUSAN ILLSTON  
United States District Judge

**United States District Court**  
For the Northern District of California

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